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PTO/SB/21 (08-00) Please type a plus sign (+) inside this box TM Approved for use through 10/31/02. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/955,656 Filing Date September 18, 2001 **First Named Inventor** Charles A. Nicolette, et al. **Group Art Unit** 1645 **Examiner Name Not Yet Assigned** all correspondence after initial filing) GZ 2096.00 Attorney Docket No. **ENCLOSURES** (check all that apply) **Assignment Papers** After Allowance Communication to Fee Transmittal Form (for an Application) Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Reply Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Proprietary Information Petition to Convert to a Status Letter Affidavits/declarations Provisional Application Other Enclosure(s) (please identify Change of Correspondence Address below): Copies of 75 References and return Extension of Time Request Postcard Terminal Disclaimer Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s)_ w/Form PTO-1449 Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Antoinette F. Konski Firm Michele Todd Wasmuth or McCutchen, Doyle, Brown & Enersen, LLP Individual Name Three Embarcadero Center, Suite 1800 San Francisco, California 94111 Signature Date CERTIFICATE OF MAILING BY "FIRST CLASS MAIL" Date of Deposit: February

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Jocelyn

<u>L.</u> Lee

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GZ 2096.00



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Name of person signing: Jocelyn L. Lee

IN THE UNITED	STATES	PATENT .	AND	TRADEMARK	OFFICE

In re Application for:

Charles A. NICOLETTE, et al.

Serial No.: 09/955,656

Filing Date: September 18, 2001

For: METHOD TO IDENTIFY ANTIBODY

TARGETS

Examiner: Not Yet Assigned

Group Art Unit: 1645

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Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed.

i ilis illiolillati	on Disclosure Statement is med.
	With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
	Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
	Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
This Informati	on Disclosure Statement is filed:

L	$oldsymbol{\bot}$	After the first Office Action and more than three months after the application's
		filing date; or PCT national stage date of entry filing but, as far as is known to the

37 C.F.R. § 1.17(p) and any additional required fees. This Information Disclosure Statement is filed: After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement. The undersigned certifies that: Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. II. Copies of the Cited Items: X Copies of all of the items listed on the attached Form PTO-1449 are enclosed. Copies of only the following items listed on the attached Form PTO-1449 are enclosed: . Copies of those items which are marked with an asterisk (*) in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____, filed relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d). Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to

charge Deposit Account No.

for the fee (\$180) set forth in

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Serial No.: 09/955,656 Docket No.: GZ 2096.00 GZ Ref.: 5041US

III. Concise Explanation of Relevance:

\boxtimes	A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
	A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

- 1. an admission that the documents are necessarily prior art with respect to the instant invention;
- 2. a representation that a search has been made, other than as described above; or
- an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. <u>50-1189</u>, Billing Reference No.: <u>19442-7240</u> for any additional fees required in connection with the filing of this Information Disclosure Statement. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

DATE: February // , 2002

Respectfully submitted,

Antoinette F. Konski

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With

Docket No. GZ 2096.00

Appl. No. 09/955,656

Applicant(s)

Charles A. Nicolette, et al.

Filing Date: September 18, 2001

Group Art Unit

(use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner	Ref.	Date	Document No.	Name	Class	Subclass	Filing Date
Initials	No.						(if appropriate)
	1	12/23/86	4,631,211	Houghten			
	2	07/28/87	4,683,195	Mullis et al.			
	3	07/28/87	4,683,202	Mullis			
	4	06/28/88	4,754,065	Levenson et al.			
	5	01/24/89	4,800,159	Mullis et al.			
	6	04/23/91	5,010,175	Rutter et al.			
	7	04/23/96	5,510,240	Lam et al.			
	8	12/09/97	5,695,937	Kinzler et al.			
	9	05/05/98	5,747,299	Bloom et al.			

FOREIGN PATENT DOCUMENTS

Examiner	Ref.	Date	Document No.	Name	Class	Subclass	Tran	slation
Initials	No.			4			YES .	NO
	10	01/05/95	WO 95/00655	Graham et al.				
	11	05/04/95	WO 95/11984	Gregory et al.				
	12	06/22/95	WO 95/16775	Guo et al.				
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	16	10/22/98	WO 98/46785	Gong et al.				
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OTHER DOCUMENTS

(including author, title, date, pertinent pages, etc.)

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	18	Abrahamsen, T.G., et al. "Stimulatory Effect of Counterflow Centrifugal Elutriation in Large-Scale Separation of Peripheral Blood Monocytes Can Be Reversed by Storing the Cells at 37°C" <i>J. Clinic. Apheresis</i> 6 :48-53 (1991).
	19	Adams, M.D., et al. "Complementary DNA Sequencing: Expressed Sequence Tags and Human Genome Project" Science 252:1651-1656 (June 1991).
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